

## **REMARKS**

This is in response to the Office Action dated December 17, 2003. The Office Action rejects claims 1 and 5-20 under 35 U.S.C. §102(b) as being anticipated by US Patent Application Number 6,539,237 B1 to Sayers ("Sayers"). Applicants have  
5 canceled claims 13-20. Claims 1 and 5-12 remain under consideration. Applicants respectfully traverse the rejection of claims 1 and 5-12.

In order for a claim to be anticipated by a reference under 35 U.S.C. §102, all elements of the claim must be taught or disclosed by that reference. For the following reasons, Sayers does not anticipate all of the elements of the claims of the present  
10 application.

**Claim 1:** In regards to the rejection of claim 1, the Office Action states that "Co. 22, lines 4-20, Flow chart (sic) of Fig. 12 and (the) Entire Document" each disclose the element of claim 1 of "providing an indication of a radio service requirement to the mobile station, wherein said paging message comprises the indication of the radio  
15 service requirement, and wherein said radio service requirement comprises an indication of a desired amount of at least a first network resource."

To begin with, applicants assert that the phrase "Entire Document" fails to point out with particularity any basis for rejecting claim 1. 37 CFR 1.104(c)(2) states, in part, that:  
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"In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable . . ."  
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The Sayers reference is most certainly complex and most certainly claims inventions other than that claimed by the applicants in the present application. Thus, by referencing "the Entire Document," the Examiner in the present instance has failed to  
30 "designate" which "particular part" is being relied upon to reject claim 1. If the Examiner believes that there are additional aspects of the Sayers reference over which claim 1 is invalid, applicants respectfully request that such aspects be designated with particularity, as required by section 37 CFR 1.104(c)(2).

However, after a careful review, even considering the "Entire Document" of  
35 Sayers in general, as well as specifically cited sections of that reference, Applicants

respectfully assert that neither those cited sections nor the Sayers reference as a whole teach all elements of claim 1. As currently pending, claim 1 states:

5                   “1. A method of establishing a transmission to mobile station via a radio  
network, the method comprising:  
                  providing a paging message to the mobile station;  
                  providing an indication of a radio service requirement to the mobile  
station,  
                  wherein said paging message comprises the indication of the radio  
10               service requirement, and  
                  wherein said radio service requirement comprises an indication of a  
desired amount of at least a first network resource.”

Therefore, this claim contains, in part, the required following elements:

- 1) providing a paging message to the mobile station;
- 15               2) the paging message sent to the mobile station comprises an indication  
of a radio service requirement; and
- 3) the radio service requirement (in the paging message sent to the  
mobile station) comprises an indication of a desired amount of at least a first  
network resource.

20   Applicants adamantly assert that Sayers teaches none of these elements. Specifically,  
the Office refers to column 22, lines 4-20 and the flow chart of figure 12 as teaching  
each of these three elements.

**Column 22, lines 4-20:** This passage of Sayers does teach a “Paging request”  
sent to the mobile station. However, this passage does not teach that this Paging  
25   request sent to the mobile comprises an indication of a radio service requirement  
(element 2 above). Nor does this passage teach that the Paging request sent to the  
mobile comprises an indication of a desired amount of at least a first network resource  
(element 3 above). Instead, column 22, lines 4-20 teach that, when the mobile responds  
to the paging request, authentication and ciphering procedures are performed. This  
30   passage then teaches that “[d]uring this time it should be possible for the RAS layer to  
begin the ARQ sequence with the registered gatekeeper in order to reserve the required

bandwidth." Accordingly, this passage of Sayers only teaches that, during or after the response to the Paging request is any "indication of a desired amount of at least a first network resource" provided. As shown above, this is not the same as what is claimed by claim 1 of the present invention and, therefore, since column 22, lines 4-20 does not

5 teach all elements of claim 1, claim 1 is allowable over this passage

**Flowchart, figure 12:** Figure 12 does show Paging Requests sent to a mobile station (MS) and responses to paging requests sent from the MS. However, at no point does this figure reference or teach in any other fashion that the Paging Requests sent to the mobile comprises "an indication of a desired amount of at least a first network

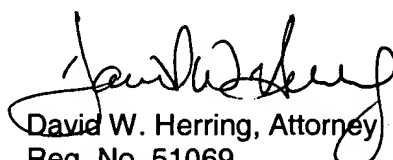
10 resource" as is claimed in claim 1. Therefore, figure 12 does not teach this necessary element of claim 1 and, as a result, claim 1 is allowable over this figure.

**Conclusion:**

In summary, applicants have canceled claims 13-20 and have respectfully traversed the rejection of remaining claims 1 and 5-12. For the foregoing reasons,

15 neither the cited portions of Sayers nor the Sayers reference as a whole teach the necessary elements of claim 1. Therefore, claim 1 is allowable over Sayers. Claims 5-12 are dependent upon claim 1 and therefore, it follows, are allowable as being dependent upon an allowable base claim. Accordingly, it is respectfully requested that all rejections be removed and that claims 1 and 5-12 be allowed.

Respectfully,

  
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